

PATENT



PATENT AND TRADEMARK
DIVISION

Docket No. 4216-4000

NOV 29 2004 PM 12:12

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): Richard CHAO

Reissue RE 37,545

Appl. Ser. No.: 09/182,862

Filed: October 21, 1998

For: AUXILIARY LENSES FOR EYEGLASSES

Mail Stop Petition
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

RECEIVED
DEC 01 2004
OFFICE OF PETITIONS

NOTICE AND PETITION

PURSUANT TO 37 C.F.R. §§ 1.181/ 1.28 TO PAY DEFICIENT FEES

Sir:

This petition provides notice of the correct entity status of the above identified patent and requests acceptance of payment of deficiencies between the amount paid and the amount due as a result of an intervening status change.

Small entity status of the above-identified patent was originally, and has subsequently been established in good faith. However, deficiencies of the fees were paid erroneously due to an intervening status change as follows:

	Paid Amount	Deficiencies
Amendment Claim Fee paid on 08/23/2000	\$531.00	\$621.00
Extension Fee paid on 11/22/2000	\$55.00	\$55.00
Total Deficiency: \$676.00		

Applicant requests that the total deficiency (i.e., \$676.00) be deducted from deposit account No. 13-4500, Order No. 4216-4000.

Applicant believes that there were no other fees paid erroneously than the two fees indicated above (i.e. Amendment Claim Fee and Extension Fee) during the intervening status change.

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Accordingly, Applicant respectfully requests that this petition be granted. Applicants also request that the error be excused upon payment of the deficiency between the amount paid and the amount due.

The Commissioner is hereby authorized to charge any additional fees which may be due or necessary for consideration of this Notice and Petitions, or credit any overpayment to Deposit Account No. 13-4500. Order No. 4216-4000. A DUPLICATE COPY OF THIS SHEET IS ATTACHED.

Respectfully submitted,

MORGAN & FINNEGAN, L.L.P.

Dated: November 22, 2004

By: *Michael S. Marcus*

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